



ATTORNEY DOCKET NO. 43890-489

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Reissue Application of:)	
Reissue Application Ser. No. 09/558,462,)	
Which Is Reissue of U.S. Pat. No. 5,764,622)	
)	Group Art Unit: 2653
Serial No.: 10/014,431)	
)	
Filed: December 14, 2001)	
)	Examiner: D. OMETZ
Inventor: Ichiro KAWAMURA et al.)	
)	
For: RECORDING MEDIUM CARTRIDGE AND)	
SIGNAL RECORDING APPARATUS)	

OFFER TO SURRENDER UNDER 37 C.F.R. § 1.178

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned Applicants of the accompanying application for a continuation reissue application of U.S. Letters Patent No. 5,764,622 for "RECORDING MEDIUM CARTRIDGE AND SIGNAL RECORDING APPARATUS", granted on June 9, 1998, of which Matsushita Electric Industrial Co., Ltd. is now the sole owner by Assignment and, on whose behalf and with whose assent the accompanying application is made, hereby confirm that the original letters patent was surrendered on February 6, 2001 in Reissue Application Serial No. 09/558,462, USP No. RE37,659. Accordingly, although the original letters patent was not lost, it is no longer in

the possession of the Applicants and therefore cannot be resubmitted to the USPTO.

Ichiro Kawamura Ichiro Kawamura Date: February 24, 2003

Ryoichi Imanaka Ryoichi Imanaka Date: February 24, 2003

Yoshikazu Goto Yoshikazu Goto Date: February 24, 2003

WDC99 526335-1.043890.0489



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Group Art Unit: 2653

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SUPPLEMENTAL DECLARATION PURSUANT TO 37 C.F.R. §
1.175(b)(1)

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We declare:

THE INVENTORS

1. That we, Ichiro Kawamura, Ryoichi Imanaka and Yoshikazu Goto reside at the addresses listed below, and declare that we are citizens of Japan; that we are employed by Matsushita Electric Industrial Co., Ltd. of Osaka Japan; that Matsushita is the Assignee of the entire interest of the above-identified patent; that at the time the application for the above-identified Patent was filed we were engaged in the design of recording mediums as described in United States Letters Patent No. 5,764,622 ("original patent"), that we do not know and do not believe that the invention was ever known or used in the United States before our invention; and that we are the declarants, applicants and patentees, referred to hereinafter.

2. That we believe that we are the original, first and sole inventors of the subject matter of the invention, which is claimed and for which a reissue patent is sought in the above-identified reissue application.

3. That we, Ichiro Kawamura, Ryoichi Imanaka and Yoshikazu Goto, are joint inventors of the subject matter claimed in the original patent, as well as the subject matter set forth in the claims contained in the reissue application.

4. That we believe the original patent to be wholly or partly inoperative or invalid, by reason of our claiming less than we had a right to claim.

5. New claims 6-14, as amended, recite patentable subject matter not claimed in the original patent, or the parent reissue application, USP No. RE37,659. Each of claims 6-14, as amended, expressly recite that the "detector" forms a part of the claimed signal recording apparatus. None of the claims of the original patent or parent reissue application included this limitation. More specifically, while each of the original claims and the claims of the parent reissue recited that the "indicator" provided an indication to an "electrical detecting device", the claims did not require the "electrical detecting device" to be part of the signal recording apparatus. Thus, we claimed less than we had a right to claim. New claims 6-14 cure this defect by expressly stating that the recited "detector" is part of the signal recording apparatus.

6. That we believe that the error regarding our narrow claiming of the invention arose inadvertently and without deceptive intent.

7. The instant reissue application is a continuation application of Reissue Application Serial No. 09/558,462, which was filed on April 24, 2000 and which has issued as USP No. RE37,659.

8. In accordance with 35 U.S.C. § 119, we claim the benefit of a foreign filing date on the basis of Japanese Patent Application Nos. 7-123420 and 8-122948, filed on May 23, 1995 and May 17, 1996, respectively. A certified copy of each priority document was filed in the parent application that issued as U.S. Patent No. 5,754,622.

9. That we hereby state that we have reviewed and understand the contents of the above-identified reissue application, including the amendments to the claims.

10. On December 4, 2002 an Office Action issued stating that our original Declaration filed on December 14, 2001 was defective for failing to specify at least one error, which can be relied upon to support the reissue application. The instant Supplemental Declaration is being submitted in an effort to correct the foregoing deficiencies in the original Declaration.

11. That we acknowledge the duty to disclose information of which we are aware which is material to the examination of the application for the above-identified reissue application in accordance with 37 C.F.R. § 1.56(a).

12. Every error in the patent which was corrected in the patent reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intent.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: February 24, 2003

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